

No. 674, S.]

[Published August 4, 1953.

CHAPTER 551

AN ACT to renumber 311.05; and to create 311.05 (2) of the statutes, relating to small estates.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 311.05 of the statutes is renumbered 311.05 (1).

SECTION 2. 311.05 (2) of the statutes is created to read:

311.05 (2) Whenever an estate does not exceed the amount required for funeral expenses and last illness and expenses of administration and there is no real estate and no widow and no minor child, the executor or administrator may under the directions of the court pay such preferred claims and expenses and thereupon file his final account, and he shall thereupon be discharged and further proceedings in the estate be discontinued. It shall not be necessary in such cases to prove heirship. If the assets of such estate shall not be sufficient for payment in full of the expenses above designated, the court may order distribution of the assets in the following order:

- (a) Expenses of administration;
- (b) Funeral expenses; and
- (c) Expenses of last illness.

Payment shall not be made on any of such classes of expenses until all those of the preceding class shall be fully paid, and in such case such distribution shall be upon such notice to parties interested as the court may order.

Approved July 14, 1953.
